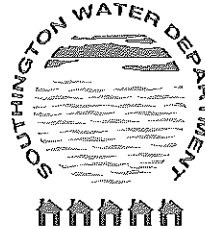


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Carol A. Mazzalupo, OFFICE SUPERVISOR
605 West Queen Street
P.O. Box 111
Southington, CT 06489-0111
(860) 628-5593 • Fax (860) 621-0491

February 2, 2010

Paul Stacey
Bureau of Water Protection and Land Reuse
State Department of Environmental Protection
79 Elm Street
Hartford, CT 06106



FEB 04 2010

Re: Proposed Stream Flow Regulations

Dear Mr. Stacey:

The Southington Water Department and the Town of Southington support the intent of Public Act 05-142, but the regulation as drafted today does not achieve balance between public health and safety, agriculture and economic development and the protection of the state's aquatic life, and we must vehemently oppose them.

Based on our analysis of the proposed regulations, we will not be able to supply even our existing customers, let alone supply new service connections in a town struggling to pull out of very trying economic times. Our very survival as a water supplier hangs in the balance.

We will go from having an excess of supply to a deficit the very day these regulations go into effect. We have done our analysis in a very conservative manner - we assumed a class 3 basin. If the Quinnipiac River or reaches of the river or its tributaries are class 2, the consequences are more dire than what we have currently predicted. The fact that we have no idea what class the Quinnipiac basin will be makes it very difficult for us to even comment on this regulation. It would be our recommendation that the stream classification be performed prior to rolling out the stream flow regulation.

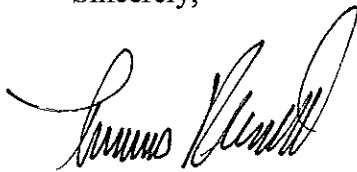
As a water supplier, we have a responsibility to be stewards of the environment. It is in the best interest of water companies and their consumers for there to be an ample supply of clean water. We take this responsibility very seriously. The Southington Water Department is one of the largest land owners in Wolcott, where the majority of our watershed lies for our reservoir system. We own over 85% of our watershed. We monitor its health and manage its resources because this means that we have a cleaner, safer source of drinking water from the start.

In the late 90's, the Water Department in conjunction with the Town of Southington purchased Crescent Lake from the Valley Water Company. The intent of this purchase was to provide a clean source of water for both stream flow supplementation during periods of low flow, and a recreation area for citizens of the area. One of the conditions of the Quinnipiac River Flow Management Plan, which we entered in to due to our Diversion Permit for Well #9 (located on Dunham Place), is that during periods of low flow at the Wallingford stream gage, we can take additional water from our wells located near the Quinnipiac River (Well #1A, Well #2, Well #3). Under this regulation, the day we start flowing water to the Quinnipiac River, we are going to have to comply with the release rules (at Crescent Lake) and the available water will quickly dwindle. Also, under this regulation, the flow management plan we entered into in order to secure the diversion permit for Well #9 would not qualify as a stream flow management compact.

The Town of Southington has been through very difficult times in the past with regards to its water supply. We weathered a time in the late 70s where we lost over half of our water supply due to two superfund sites and a dry cleaning establishment contaminating 4 of our 6 wells. We were able to install treatment on one of those supplies, but the other 3 are still not in service today. We worked diligently to replace these supplies, leasing one well from a neighboring utility, and installing two new wells in the early 80s, and then finally installing our largest well, well #9 in the north end of town. We made a conscious decision at the time to locate these sources in areas of limited development. Because of this, they are in areas that will be most effected by this regulation (the upper reaches of streams that feed into the Quinnipiac River). We believe that groundwater was never intended to be included in this regulation when you look at the statute and the legislative history. We recommend that if you go ahead with the regulation at this time, that groundwater be taken out of the regulation. Groundwater can then be given

We strongly urge the DEP to come back to the table with ALL stakeholders and get this regulation right the first time. The impacts on the citizens of this state are too great not to.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas R. West', with a stylized, flowing script.

Thomas R. West, P.E.
Superintendent